

IN THE COURT OF COMMON PLEAS
WARREN COUNTY, OHIO

DEMOND MOORE,)	CASE NO. 22CV095465
)	
Plaintiff,)	JUDGE DONALD E. ODA II
)	
v.)	<u>WAIVER OF SERVICE OF</u>
)	<u>SUMMONS FOR DEFENDANT</u>
NEXT GENERATION HOSPITALITY)	<u>NEXT GENERATION</u>
LLC d/b/a Kings Inn and Suites,)	<u>HOSPITALITY LLC</u>
)	
Defendant.)	

To: Matthew G. Bruce, Esq.

I have received your request to waive service of a summons in this action along with a copy of the Amended Complaint. I represent Defendant Next Generation Hospitality LLC d/b/a Kings Inn and Suites ("Defendant") in the above-captioned matter.

Defendant agrees to save the expense of serving a Summons and Amended Complaint in this case. By signing this Waiver of Service of Summons, Defendant understands it will keep all defenses or objections to the lawsuit including, but not limited to, a belief the lawsuit is groundless, the court's jurisdiction, and the venue of the action, except for objections to the absence of a summons or of service.

Defendant also understands they must file and serve an Answer or a motion under Ohio R. Civ. P. 12 within 60 days from September 21, 2022, the date when this request was sent. If Defendant fails to do so, a default judgment could be entered against them.

Date: Sept. 22, 2022


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Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4.7 of the Ohio Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is subject to the court's personal jurisdiction and who fails to return a signed waiver of service requested by a plaintiff may be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Respectfully submitted,

/s/ Matthew G. Bruce

Matthew G. Bruce (0083769)

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